

Remarks and Arguments

Applicants have carefully considered the Office Action dated May 18, 2007 and the references cited therein. Applicants respectfully requests reexamination and reconsideration of the application.

Claims 3, 9, 11, 14, 19, 24, 31-33 and 34 are objected to because of various informalities, including, as to claims 3, 9, 11, 14, 19, and 31-33, for allegedly repeating limitations.

Regarding claim 3, Applicants respectfully traverse such objection. Dependent claims 2 and 3 each separately depend directly from independent claim 1 and recite different limitation language, and, therefore, have different scope.

Regarding claim 9, Applicants respectfully traverse such objection. Dependent claims 8 and 9 each separately depend directly from claim 2 and recite different limitation language, and, therefore, have different scope.

Regarding claim 11, Applicants respectfully traverse such objection. Claims 4 and 11 each separately depend directly from independent claim 1 and recite different limitation language, and, therefore, have different scope.

Claims 13 and 14 have each been amended to designate their respective limitation language as "(g)". Claims 13 and 14, as filed, each separately depend directly from independent claim 12, recite different limitation language, and, therefore, have different scope.

Regarding claim 19, Applicants respectfully traverse such objection. Claims 18 and 19 each separately depend directly from independent claim 17 and recite different limitation language, and, therefore, have different scope.

Claims 33 has been amended to designate it's respective limitation language as "(d1)".

Claim 24 and 34 have each been amended to overcome the Examiner's objections. These amendments have not been made to distinguish over any reference of record or for patentability purposes to comply with 35 USC 112. Accordingly, no narrowing of any corresponding equivalents to which these claims are entitled is intended by these amendments.

The Examiner contends that claim 34 is non-statutory because the claim is directed to non-statutory subject matter. Claim 34 has been amended and now recites “a *tangible* computer usable medium” (claim 34, lines 2-3). As such claim 34 is believed to comply with all sections of 35 USC section 101 (See MPEP 2106(IV)(B)(1)(b)).

Claims 3, 14 and 19 have been provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-24 of copending patent application Publication No. 2004/0177114A1. To the extent still applicable, Applicant respectfully reassert any relevant traversal as set forth in the prior response filed, February 26, 2007. Notwithstanding the foregoing, Applicants respectfully request that the nonstatutory obviousness-type double patenting rejections be held in abeyance until an indication of allowable subject matter or the issuance of a US patent from copending patent application Publication No. 2004/0177114A1.

Claims 1-3, 7-21, 24-29 and 34-35 have been rejected under 35 U.S.C. 102(b) as being anticipated by Small, U.S. Patent No. 5,513,117, hereafter Small ‘117, already of record. In addition, claims 4-6, 22-23 and 30-33 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Small ‘117. Before addressing such rejections, Applicants respectfully request that the examiner consider the following. In the subject application methods and techniques are described in which customized gift cards and personalized greeting cards are generated *separately* and appropriately matched following each of their respective manufacturing processes for combining as a single product. This process is described in detail in the subject specification. The Examiner has not shown where Small ‘117 discloses such a system or technique. In Small ‘117 the personalized greeting card and gift certificate are printed together on the same medium as a single entity. Conversely, in the disclosed system and techniques, customized gift cards are generated separate and apart from their corresponding greeting cards. This technique allows for greater manufacturing efficiency and versatility. Example in the personalized greeting card may be printed on traditional paper card stock while the gift card may be manufactured as a composite entity from PVC and various laminates, including magnetizable material. The ability to manufacture both the greeting card and a gift card from different materials gives rise to the need for a

technique to efficiently combine the correct customized gift card with its personalized greeting card counterpart, such a system and technique being described in the subject application.

Claim 1 has now been amended to highlight this aspect of the invention. In particular, now recites “generating a gift card *separate and apart from the greeting card*, the gift card having a gift card data reference thereon” (claim 1, lines 11-12). Small ‘117 does not teach disclose or suggest such a limitation. In fact, Small ‘117 actually teaches away from such subject matter, teaching that the “gift certificate” and greeting card be printed together, as evidenced by the following excerpt:

Referring again to FIG. 6, as the particular gift and amount is selected, it is displayed on a gift portion 90 of the greeting card 81 along with instructions 91 for redeeming the gift, a toll free number 92 for accessing the gift, where appropriate, and a PIN number 93 for uniquely identifying the recipient in redeeming the gift. The gift information, including instructions 91, toll free number 92 and PIN number 93 can be printed in an outlined wallet sized window area 94 which, when printed, can be peripherally perforated with perforation lines 95 for easy separation from the card 81.

(US Patent 5513117, col. 7, lines 36-46)

Again, the Examiner has not shown where Small ‘117 discloses methods and techniques in which customized gift cards and personalized greeting cards may be generated *separately* and subsequently matched following the manufacturing process for combining as a single product. Accordingly, Applicants respectfully assert that claim 1, as well as its respective dependent claims are not anticipated by Small ‘117. Claims 12, 17, 24, 28 34 and 35 have been amended to include language similar to amended claim 1 (claim 12, lines 6-7; claim 17, lines 6-7; claim 24, lines 10-11; claim 28, lines 11-13; claim 34, lines 14-15; and claim 35, lines 12-13) and are, along with their respective dependent claims, as applicable, likewise believed not anticipated by Small ‘117 for similar reasoning as to claim 1.

Regarding the rejection of claims 4-6, 22-23 and 30-33 under 35 U.S.C. 103(a) as being unpatentable over Small ‘117, Applicants respectfully assert that in light of the foregoing amendments, these claims are likewise patentable over Small ‘117.

Applicant's respectfully note that in taking Official Notice, the Examiner has not established that the alleged claimed limitation(s) were present in any reference, as of the filing date of the invention. Accordingly, Applicants respectfully traverse the Examiner's Official Notice as a grounds for rejection, and, in accordance with The Manual of Patent Examining Procedure section 2144.03, requests the Examiner to produce a reference in support of his assertion, or, alternatively, if such assertion is based on the personal knowledge of the Examiner, to provide Applicants with an affidavit averring to the specific facts supporting the personal knowledge on which the Examiner's statement is based. Even if the Examiner provides a reference in support of the Official Notice, such official notice does not teach disclose or suggest the exact scope of the limitations that the Examiner has admitted are absent from Small '117.

In addition, Applicants note that the Examiner has not shown where Small '117 teaches, discloses or suggests "printing at least a first of the two gift card panels with at least a portion of an image from at least one panel of the personalized greeting card" (claim 6, lines 2-3). Claim 32 recites a similar limitation (claims 32, lines 3-4). Further the Examiner has not shown where Small '117 teaches, discloses or suggests "printing at least one panel on gift card stock with a user uploaded image associated with the personalized greeting card" (claims 33, lines 3-4).

Further, Applicants respectfully reassert all of the remarks and traversals set forth in prior response(s) to the extent still relevant to the outstanding rejections. Regarding claim 1, for example, the Examiner has failed to indicate where Small discloses the limitation of "generating a gift card having a gift card data reference thereon" and "comparing the greeting card data reference and the gift card data reference to determine a relationship therebetween" (claim 1, lines 11-13). Applicants again specifically request that the Examiner identify where in the figures or disclosure of Small '117 there is shown a data reference on both the greeting card *and* the gift card, or the process of comparing the greeting card data reference and the gift card data reference to determine a relationship therebetween. Regarding claim 28, the Examiner has not shown where Small teaches, discloses or suggests a method in which a plurality of personalized greeting cards are printed in sequence and a plurality of gift cards are generated in sequence and comparing the data reference of the greeting card

having a position in sequence with the data reference a gift card having a similar position in sequence to determine if a relation exists therebetween.

In light of the foregoing, applicants respectfully assert that none of the independent claims, as well as any of their respective depending claims are anticipated by Small.

If after considering the above remarks and amendments, the Examiner is still not of the opinion that allowable subject matter is claimed, Applicants respectfully request an interview with the Examiner to resolve any outstanding issues prior to issuance of any further office actions.

Applicants believe the claims are in allowable condition. A notice of allowance for this application is solicited earnestly. If the Examiner has any further questions regarding this amendment, he/she is invited to call Applicants' attorney at the number listed below. The Examiner is hereby authorized to charge any fees or credit any balances under 37 CFR §1.17, and 1.16 to Deposit Account No. 02-3038.

Respectfully submitted,

/Bruce D. Jobse/

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Bruce D. Jobse, Esq. Reg. No. 33,518
Rissman Jobse Hendricks & Oliverio, LLP
Customer Number 021127
Tel: (617) 367-4600 Fax: (617) 367-4656